

NOV 22 2013

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

EDWARD L. GILMORE,)
)
 Plaintiff,)
)
 v.) 1:13cv00789 (LMB/IDD)
)
 ERIC HOLDER,)
)
 Defendant.)

ORDER

For the reasons stated in open court, defendant's Motion to Dismiss in Part [Dkt. No. 11] is DENIED; defendant's Motion to Dismiss in Part [Dkt. No. 12] is GRANTED IN PART and DENIED IN PART; defendant's Motion for Partial Summary Judgment [Dkt. No. 13] is DENIED; and plaintiff's Motion to Stay Defendant's Motion for Partial Summary Judgment and/or to Stay Defendant's 12(b)(6) Motion to Dismiss if Converted to a Motion for Summary Judgment [Dkt. No. 17] is DENIED AS MOOT, and it is hereby

ORDERED that Count III of plaintiff's Complaint (Unlawful Constructive Discharge in Violation of Title VII) be and is DISMISSED WITH PREJUDICE.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 22 day of November, 2013.

Alexandria, Virginia

lsl 
Leonie M. Brinkema
United States District Judge